

LEWIS
AND
ROCA
LLP
LAWYERS

**E-Filed on December 5,
2007**

3993 Howard Hughes Parkway, Suite 600
Las Vegas, NV 89169-5996
Facsimile (702) 949-8321
Telephone (702) 949-8320

40 North Central Avenue, Suite 1900
Phoenix, Arizona 85004-4429
Facsimile (602) 734-3824
Telephone (602) 262-5756

Susan M. Freeman AZ State Bar No. 004199
Email: sfreeman@lrlaw.com
Rob Charles NV State Bar No. 006593
Email: rcharles@lrlaw.com

Attorneys for USACM Liquidating Trust

**UNITED STATES BANKRUPTCY COURT
DISTRICT OF NEVADA**

In re:

USA COMMERCIAL MORTGAGE
COMPANY,

USA CAPITAL REALTY ADVISORS,
LLC,

USA CAPITAL DIVERSIFIED TRUST
DEED FUND, LLC,

USA CAPITAL FIRST TRUST DEED
FUND, LLC,

USA SECURITIES, LLC,
Debtors.

Affects:

- ☒ All Debtors
- ☐ USA Commercial Mortgage Company
- ☐ USA Capital Realty Advisors, LLC
- ☐ USA Capital Diversified Trust Deed Fund, LLC
- ☐ USA Capital First Trust Deed Fund, LLC
- ☐ USA Securities, LLC

Case No. BK-S-06-10725-LBR
Case No. BK-S-06-10726-LBR
Case No. BK-S-06-10727-LBR
Case No. BK-S-06-10728-LBR
Case No. BK-S-06-10729-LBR

CHAPTER 11

Jointly Administered Under Case No.
BK-S-06-10725 LBR

**STIPULATION TO CONTINUE
HEARING ON MOTION FOR
SUMMARY JUDGMENT RE
DUTKIN'S CLAIM**

Date of Hearings: December 14, 2007
Time of Hearings: 9:30 a.m.

New Date of Hearings: December 20, 2007
Time of Hearings: 9:30 a.m.

USACM Liquidating Trust (the "USACM Trust"), by and through its counsel,
Lewis and Roca LLP, and John Dutkin, Trustee, by and through his counsel, George D.
Frame, Ltd., hereby stipulate:

1. John Dutkin, Trustee filed proof of claim No. 10725-01395 on November 9,
2006, in the amount of \$56,120.90.

LEWIS
AND

ROCA
LLP

L A W Y E R S

2. On March 20, 2007, the USACM Trust filed its Objection to John Dutkin's Claim (the "Objection") [DE 3147], which objected to the secured status of Claim No. 10725-2447-2.

3. On July 30, 2007, the USACM Trust filed its Motion for Summary Judgment [DE 4291], which seeks summary judgment on the Objection.

4. The Objection and Motion for Summary Judgment were scheduled for hearing on December 14, 2007.

5. Counsel for the USACM Trust asks that the hearing be continued to December 20, 2007 so that it can be heard with other claims related to the Motion for Summary Judgment [DE 4291] that are on the calendar for that date and to accommodate a medical issue that has arisen for counsel since the hearing was originally scheduled.

LEWIS AND ROCA LLP

By: /s/ RC (#6593)

Susan M. Freeman, AZ 4199 (*pro hac vice*)

Rob Charles, NV 6593

John Hinderaker, AZ 18024 (*pro hac vice*)

Counsel for USACM Liquidating Trust

-and-

GEORGE D. FRAME, Ltd.

By: _____

George D. Frame

Counsel for John Dutkin, Trustee

12/05/2007 11:12 FAX

Lewis and Roca LLP

12/4/2007 5:43 PM

PAGE

3/005

Fax Server

003

LEWIS
AND
ROCA
LLP
LAWYERS

1 2. On March 20, 2007, the USACM Trust filed its Objection to John Dutkin's
2 Claim (the "Objection") [DE 3147], which objected to the secured status of Claim No.
3 10725-2447-2.

4 3. On July 30, 2007, the USACM Trust filed its Motion for Summary
5 Judgment [DE 4291], which seeks summary judgment on the Objection.

6 4. The Objection and Motion for Summary Judgment were scheduled for
7 hearing on December 14, 2007.

8 5. Counsel for the USACM Trust asks that the hearing be continued to
9 December 20, 2004 so that it can be heard with other claims related to the Motion for
10 Summary Judgment [DE 4291] that are on the calendar for that date and to accommodate a
11 medical issue that has arisen for counsel since the hearing was originally scheduled.
12

13 LEWIS AND ROCA LLP

14 By: /s/ RC (#6593)

15 Susan M. Freeman, AZ 4199 (*pro hac vice*)

16 Rob Charles, NV 6593

17 John Hinderaker, AZ 18024 (*pro hac vice*)

18 Counsel for USACM Liquidating Trust

19 -and-

20 GEORGE D. FRAME, Ltd.

21 By: 

22 George D. Frame

23 Counsel for John Dutkin, Trustee
24
25
26

LEWIS
AND

ROCA
LLP

LAWYERS

PROOF OF SERVICE

Copy of the foregoing mailed by
First Class, US Mail, postage
prepaid, on December 5, 2007
to the following interested party:

George D. Frame, Esq.
Geroge D. Frame LTD.
601 Greenway Road, Suite D
Henderson, NV 89002

/s/ Renee L. Creswell
Renee L. Creswell
Lewis and Roca LLP